

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

THOMAS FARANO,

Plaintiff,

v.

ASSURED SOLUTIONS INTERNATIONAL,
LLC, et al.,

Defendants.

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CIVIL ACTION NO. 06-3389 (MLC)

O R D E R

THE PLAINTIFF having filed a complaint on July 26, 2006, and an amended complaint on December 5, 2006 (dkt. entry nos. 1 & 6);¹ and the plaintiff submitting to the Court a letter – which is dated June 25, 2007, and was received on June 29, 2007 – “advis[ing] that we have been attempting to serve the Defendants with process but, unfortunately, have not had success”, and “request[ing] that [the Court] provide us with additional time so that we may continue our efforts” (Pl. Letter); and the Court noting that the letter was not electronically filed; and

THE PLAINTIFF HAVING FAILED to serve the defendants within 120 days after filing the amended complaint, see Fed.R.Civ.P. 4(m); and it appearing that this action has been pending for a year; and thus the Court intending to dismiss the complaint

¹ The plaintiff filed an amended complaint at the direction of the Court, as the original complaint failed to properly assert jurisdiction. (See dkt. entry no. 2, 7-31-06 Order to Show Cause; dkt. entry nos. 4-5, 11-27-06 Mem. Op. & Order.)

unless the plaintiff complies with Federal Rule of Civil Procedure ("Rule") 4(m) by August 24, 2007, see Sykes v. Blockbuster Video, 205 Fed.Appx. 961, 963-64 (3d Cir. 2006); and the Court notifying the plaintiff of the intention to dismiss the complaint, see Liu v. Oriental Buffet, 134 Fed.Appx. 544, 546 (3d Cir. 2005); and the Court advising the plaintiff that no further enlargements of time will be granted to comply with Rule 4(m), even with the consent of all parties, barring extraordinary circumstances;² and for good cause appearing;

² Extraordinary circumstances do not include: (1) upcoming legal or religious holidays, (2) the parties or counsel being on vacation when this order to show cause was issued, or upcoming vacation plans, (3) difficulty in registering for electronic filing, (4) difficulty in complying with the electronic filing rules, (5) time to conduct discovery, (6) difficulty with a computer or internet access, or (7) any purported failure to be timely notified of this inquiry. This date has been set accordingly. The plaintiff, if unable to comply, should consult the Federal Rules of Civil Procedure and Local Civil Rules as to moving for relief from any resulting order, if necessary.

IT IS THEREFORE on this 24th day of July, 2007
ORDERED that the plaintiff's counsel is **DIRECTED TO COMPLY WITH**
THE ELECTRONIC FILING RULES OF THIS COURT;³ and

IT IS FURTHER ORDERED that the plaintiff is **DIRECTED TO**
COMPLY WITH FEDERAL RULE OF CIVIL PROCEDURE 4 (m) – including
filing proof of compliance with the Court – by 5 P.M. on **FRIDAY,**
AUGUST 24, 2007, or the complaint will be dismissed.

s/ Mary L. Cooper
MARY L. COOPER
United States District Judge

³ The Court will disregard responses that are not filed electronically.